

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF IOWA**

THOMAS E. PEREZ,
SECRETARY OF LABOR,
U.S. DEPARTMENT OF LABOR,

Plaintiff,

v.

CASE No. 4:15-cv-00136-RP-HCA

LI YING LI and JIAN YUN ZHENG,
individually; KING BUFFET OF IA, INC.,
d/b/a KING BUFFET;
KING BUFFET OF AMES, INC.;
BUFFET MONGOLIAN GRILL, INC.,
d/b/a MONGOLIAN BUFFET; and
STEAK BUFFET, INC.,

Defendants.

DECLARATION OF KELLY MAHONEY

Kelly Mahoney, makes this Declaration upon personal knowledge of the factual circumstances occurring in this matter.

1. I am an Assistant United States Attorney in the Criminal Division of the United States Attorney's Office for the Southern District of Iowa.

2. The United States Department of Labor, Office of Inspector General, referred findings of its investigation of Li Ying Li and Jian Yun Zheng (a/k/a Jian Yum Zheng) to the United States Attorney's Office for the Southern District of Iowa for consideration of federal prosecution for criminal violations of the United States Code. I am the Assistant United States Attorney who has been assigned to handle this matter.

3. This matter is under active investigation. Department of Justice policy prohibits the U.S. Attorney's Office from publicly estimating the length of a criminal investigation or publicly commenting on the status of an investigation.

4. In conferring with attorneys for the United States Secretary of Labor, the United States Attorney's Office agrees with the Secretary of Labor's request to seek a complete stay of the civil enforcement action pending completion of the criminal investigation. A stay of this civil matter is necessary to avoid any interference with or infringement upon the criminal enforcement process that could arise from a parallel civil enforcement action.

5. The undersigned is not aware of any competing interests in the civil action that would weigh against this Court invoking the strong policy of law favoring the stay of civil actions until completion of the pending criminal prosecution.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 23rd day of September, 2016.



Kelly Mahoney
Assistant United States Attorney
Southern District of Iowa